

## **TITLE 2: PUBLIC MORALS, SAFETY AND WELFARE**

### **DIVISION 6: GAMBLING**

#### **Chapter 2: PINBALL MACHINES, MARBLE MACHINES AND SIMILAR CONTRIVANCES.**

##### **Sections:**

- 26.021 Background to Prohibition of Pinball Machines.
- 26.022 Possession or Use of Pinball Machine.
- 26.023 Public Nuisance.
- 26.024 Confiscation and Destruction of Gambling Apparatus.

##### **26.021 Background to Prohibition of Pinball Machines.**

In enacting the provisions of this chapter, the Board of Supervisors of the County of San Bernardino hereby finds, determines and declares that within the unincorporated area of the County of San Bernardino there are maintained certain devices described in Section 26.022 hereof, which are capable of and are being used for gambling purposes; that the Grand Jury of the County of San Bernardino, regularly drawn and impaneled for the year 1955, did find, and after an independent comprehensive investigation conducted by the Attorney General of the State of California of the operation of pinball machines and other similar devices situated in San Bernardino County, officially reported:

- (a) That throughout San Bernardino County machines of the type prohibited by Section 26.022 hereof are numerous and are operating in general violation of the gambling laws of the State of California;
- (b) That the merchants interviewed during the investigation, 90.4 percent admitted making payoffs;
- (c) That the proceeds from the machines were divided fifty-fifty between the pinball machine owners and the merchants upon whose premises the machines were installed;
- (d) That the wide-spread use of these machines makes enforcement by law enforcement officers of the laws against gambling, impractical;
- (e) That the operation of these machines constitutes a serious menace to good government; that said Grand Jury recommended the immediate adoption of ordinances banning such machines as public nuisances; that the Board of Supervisors further finds, determines, and declares that the presence and use of such machines for gambling purposes teach and encourage gambling in both minors and adults, foster delinquency and encourage such persons in the commission of unlawful acts for the purpose of obtaining money in order to operate such machines; that the continued presence of such machines in the unincorporated area of this County constitutes a serious problem of law enforcement and is contrary to the public peace, health, safety, morals and general welfare of the people of this County.

Adopted Ordinance 777 (1955);

##### **26.022 Possession or Use of Pinball Machines.**

It shall be unlawful for any person, firm, or corporation to keep, maintain, possess or have under control in any place whatever, either as owner, lessee, agent, employee, mortgagee or otherwise, any table game or device commonly known as a "pinball machine," "pin game" or "marble game" or similar device by whatever name known, the operation, use or play of which is controlled by placing therein any coin, plate, disk, plug, key or other device, or by the payment of any fee.

Adopted Ordinance 777 (1955);

##### **26.023 Public Nuisance.**

Any machine, contrivance, appliance, device, game, instrument or article kept, maintained, possessed or controlled in violation of Section 26.022 is hereby declared to be a nuisance and shall be subject to abatement as provided in Section 26.024 below.

Adopted Ordinance 777 (1955);

##### **26.024 Confiscation and Destruction of Gambling Apparatus.**

Anything declared in Section 26.023 above to be a nuisance as a result of a violation of Section 26.022 above, of which violation any person, firm or corporation has been convicted or has pleaded guilty, shall be destroyed with its contents by the Sheriff of this County after such plea or after judgment of conviction becomes final. If said machine contains money, such money shall be deposited in the County General Fund.

If anything so subject to destruction is in the custody of any court in this County, said Sheriff will apply to said Court for the release of it to him for destruction.

Adopted Ordinance 777 (1955);